

Commissioner for Patents United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450

Paper No. 35

CONRAD O GARDNER
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AUG 0 3 2004

OFFICE OF PETITIONS

In re Application of

Gardner

Application No. 08/896,514

Filed: June 23, 1997

For: EXTENDED RANGE MOTOR VEHICLE

HAVING AMBIENT POLLUTION

PROCESSING

ON PETITION

The above-identified application has been referred to this office in view of a communication filed May 3, 2004, captioned "Amendment withdrawing terminal disclaimer," which is being treated as a petition under 37 CFR 1.182 asking that the USPTO withdraw the terminal disclaimer filed July 3, 2000.

The petition is dismissed as lacking the necessary papers and fees.

As explained in the Manual of Patent Examining Procedure ("MPEP") section 1490, Part A (at 1400-102 *et seq.*, copy of entire section enclosed with this decision for petitioner's convenience), a terminal disclaimer recorded against a pending application may, under appropriate circumstances consistent with the orderly examination process, be nullified only by the filing of a petition under 37 CFR 1.182 (and its \$130 fee).

Should petitioner wish to renew his petition, a separate paper captioned to that effect, along with any arguments in support of the requested relief and also addressing, since this application is closed to prosecution and under appeal, why such would be now consistent with an orderly examination process, and the \$130 petition fee should be addressed as follows:

By mail: Mail Stop PETITION

Commissioner for Patents Post Office Box 1450

Alexandria, VA 22313-1450

By hand:

2011 South Clark Place

Crystal Plaza Two, Lobby

Room 1B03

Arlington, VA 22202

By FAX:

(703) 872-6906

ATTN: Office of Petitions

This application is being forwarded to the Board of Patent Appeals and Interferences.

Telephone inquiries related to this communication should be directed to th3e undersigned at (703) 305-1820.

Brian Hearn

Petitions Examiner Office of Petitions

Office of the Deputy Commissioner for

Patent Examination Policy

Enclosure: Copy of MPEP section 1490